

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 IO-10 AF-06 ARA-06 EA-06 NEA-09

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R 121615Z MAY 75

FM AMCONSUL MONTREAL
TO SECSTATE WASHDC 6285

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FROM USREP ICAO

E. O. 11652: N/A

TAGS: PORG, EAIR, ICAO

SUBJ: ICAO - COMMITTEE UNLAWFUL INTERFERENCE CONSIDERATION US
PROPOSALS FOR ADDITIONAL SECURITY MEASURES

1. SUMMARY: COMMITTEE RECOMMENDED UPGRADING THREE PRESENT
RECOMMENDED PRACTICES TO STANDARDS (PARA 3.1.2 AND 5.1.2
IN ANNEX 17 AND 9.2 IN ANNEX 9.) (THESE REQUIRE STATES TO ESTABLISH
SECURITY PROGRAMS, AIRPORT SECURITY COMMITTEES AND REQUIRE
MEASURES TO PROHIBIT INTRODUCTION OF WEAPONS ON BOARD AIRCRAFT.
ADDITIONALLY THEY ADDED A NEW RECOMMENDED PRACTICE IN ANNEX 9
(9.2), REGARDING PROCEDURES PREVENTING EXPLOSIVES IN BAGGAGE/
CARGO. PROPOSED PARA 1.32.3 FOR ANNEX 14 ON ACCESS PRIVATE
AIRCRAFT TO COMMERCIAL AREAS WAS REFERRED TO ANC, AND ENTIRE
QUESTION SECURITY TRAINING WAS REFERRED TO SECRETARIAT FOR MORE
COMPLETE INFORMATION.

2. COMMITTEE UNLAWFUL INTERFERENCE MET MAY 6, 7, 8 TO CONSIDER
MEASURES REFERRED TO IT BY COUNCIL (UI-WP/67) (ISRAEL PROPOSALS
AND US PROPOSALS IN UI-WP/68). KENYA AND SENEGAL ABSENT, NOT
YET RETURNED FROM AFCAC REDUCING MEMBERS PRESENT TO NINE.

3. FRANCE MADE LONG EFFECTIVE NEGATIVE STATEMENT EARLY IN FIRST
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MTG. HE TOOK POSITION THAT ANNEX 17 BECAME APPLICABLE ONLY IN

FEBRUARY SO A) IT IS TOO EARLY TO JUDGE ITS EFFECTIVENESS AND
B) TO REQUIRE STATES TO CHANGE BEFORE THEY'VE REALLY IMPLIMENTED
THAT ANNEX WILL CONFUSE THEM. HE SAID HE COULD NOT VOTE FOR
THESE CHANGES (AND BEGAN A PATTERN OF NON-PARTICIPATION.) FYI.
INFORMALLY FRENCH REP TOLD USREP THAT HE DIDN'T UNDERSTAND HIS
GOVERNMENTS "CHANGE OF ATTITUDE" -- LAST YEAR THEY WERE FOR
EVERYTHING AND NOW THEY ARE NEGATIVE. HE HOPES TO HAVE MORE
POSITIVE INSTRUCTIONS BEFORE COUNCIL CONSIDERATION THESE
MEASURES IN JUNE. (FRANCE'S POSITIONS WERE TROUBLESOME THROUGHOUT
CONSIDERATION ANNEX 17.) END FYI.

4. JAPAN HAD TOLD USREP BEFORE MTG THAT HIS GOVERNMENT COULD NOT
GO ALONG WITH THESE STANDARDS. HOWEVER USREP CONVINCED HIM THAT
ONE OR TWO WERE "INNOCUOUS". ON ONE OCCASION HE WAS EXTREMELY
HELPFUL IN DEFEATING A NEGATIVE PROPOSAL FROM SPAIN. GENERALLY
HE DID NOT PARTICIPATE.

5. ABSENCE AFRICANS, FRANCE AND JAPAN'S NON PARTICIPATION, AND
LEBANON IN CHAIR, LOWERED NUMBER ACTIVE PARTICIPANTS TO SEVEN.
ALL DECISIONS BY CUI MUST BE TAKEN BY MAJORITY (SIX) -- TERMS
REF PARA 9. SINCE ALMOST EVERY MEMBER HAD SOME PARAGRAPH HE COULD
NOT GO ALONG WITH, WE BEGAN ON A NARROW PROCEDURAL MARGIN.
(THERE WERE ALMOST NO VOTES IN OPPOSITION OR RECORDED ABSTENTIONS).

6. USSR WAS ALL OVER THE PLACE AND USREP FEELS LARGE PART OF
PROBLEM WAS LANGUAGE/COMMUNICATION. UK AS ALWAYS WAS
HELPFUL AND VERY EFFECTIVE IN SUPPORTIVE EFFORT.

7. VOTES ON OTHER US PROPOSALS WERE AS FOLLOWS: A. 3.1.2
RECOMMENDED PRACTICE UP TO STANDARD. SEVEN FOR. MINOR DISCUSSION.
B. 5.1.2 RECOMMENDED PRACTICE UP TO STANDARD. SEVEN FOR.
NO DISCUSSION IN OPPOSITION BUT MEXICO PROPOSED DELETION OF PHRASE
"COMPOSED OF ALL PARTIES CONCERNED". HE SAID GROUPS LIKE GENERAL
AVIATION GIVE SECURITY COMMITTEES A LOT OF TROUBLE. OTHER MEMBERS
SAID THAT THE PHRASE HAD BEEN ACCEPTABLE IN A RECOMMENDATION
BUT WAS NOT ACCEPTABLE IN A STANDARD. US WENT ALONG WITH DELETION -
ORDER TO GET STANDARD. C. 5.1.6 AND .7 FAILED TO BE RAISED TO
STANDARDS BY ONLY 5 FOR. THERE WAS MINOR DISCUSSION BUT THE
ARGUMENT PERSISTS THAT SPECIFIC TECHNICAL MEASURES LIKE
LOCKING DOORS ETC. DOES NOT BELONG IN AN ANNEX BUT IN THE SECURITY
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MANUAL (WHERE IT ALREADY IS). D. 5.2.1 RE ESTABLISHINT OF
"AERODROME SECURITY SERVICES" FAILED TO BE UPGRADED TO A STANDARD
GETTING ONLY 3 VOTES FOR (US, ARGENTINA, USSR), JAPAN AGAINST
AND UK ABSTAINING. UK LED OPPOSITION BECAUSE THEY HAVE ALWAYS
BEEN STRONGLY OPPOSED TO A NON-AVIATION SERVICE COMING INTO AN
AIRPORT WITH AUTHORITY OVER THE AIRPORT, AIRLINES, ETC. OTHER
MEMBERS HAVE ALWAYS BEEN FRANK TO SAY THAT THEY WILL NOT GO ALONG
WITH ANY SECURITY MEASURE THAT WILL GIVE THEIR POLICE FORCES

OR MILITARY AN EXCUSE FOR MOVING IN ON THEIR AIRPORTS. THE DISCUSSION BROUGHT OUT SPECIAL PROBLEMS WITH THE PHRASES "HAVING OVER-ALL RESPONSIBILITY FOR" AND "FOR COORDINATING ACTION". AFTER THE STANDARD FAILED, SPAIN PROPOSED TO DELETE THESE PHRASES FROM THE PRESENT RECOMMENDED PRACTICE (A STOP BACKWARD). FORTUNATELY THIS FAILED WITH ONLY 5 FOR (JAPAN AND USSR WERE ESPECIALLY HELPFUL ON THIS). E. ONCE THE ESTABLISHMENT OF AIR-PORT SECURITY SERVICES WAS LEFT AS A RECOMMENDATION, PARAS 5.2.2, 5.2.3, AND 5.2.4 OUTLINING THEIR WORK HAD TO BE LEFT AS RECOMMENDATIONS. F. 6.1.2 FAILED RECEIVING ONLY 4 VOTES (US,UK, JAPAN, LEBANON). THERE WAS MINOR DISCUSSION BUT MEMBERS DID POINT OUT THAT ARTICLE 11 OF CHICAGO CONVENTION WAS NOT THE ONLY APPLICABLE ARTICLE. FYI MEMBERS FELT THE ARTICLE 11 REFERENCE WAS "OVERKILL" ON AN ITEM CLEARLY INTENDED TO JUSTIFY US UNILATERAL ACTION. DO WE INTEND TO INTRODUCE A SIMILAR PARAGRAPH IN ANNEX 16 ON NOISE ETC? END FYI. G. ANNEX 9 IS A DIFFICULT ANNEX TO PLACE ANY SECURITY MEASURES IN BECAUSE IT EXISTS TO "FACILITATE" AND ELIMINATE DETERRENTS AT AIRPORTS. THE FURTHER REFERENCE TO THE "BUGABOO" "SECURITY SERVICES" DIDN'T HELP. 9.1 RECEIVED ONLY 4 VOTES AND REMAINS A RECOMMENDATION. H. THE "NEW" 9.2 HAD NO CHANCE AS A STANDARD WHICH WAS APPARENT BEFORE MTG SO US REP PROPOSED IT AS A RECOMMENDED PRACTICE HOPING TO HAVE THE FULL LANGUAGE ACCEPTED. EVEN THAT FAILED RECEIVING ONLY 3 VOTES (US, UK, MEXICO). (UK REQUIRED ASSURANCES FROM US BEFORE SUPPORTING, THAT THE NEW PARAGRAPH INCLUDED OR WAS NOT INCONSISTENT WITH PHYSICAL SEARCH.) FAILURE OF "NEW" 9.2 STANDARD LED TO A UK PROPOSAL TO UPGRADE THE CURRENT 9.2 RECOMMENDATION TO A STANDARD. THIS CARRIED WITH 7 VOTES. I. 9.3 HAS ALWAYS BEEN CONTROVERSIAL BECAUSE IT ENVISIONS CONFLICT BETWEEN AGENTS OR SECURITY OFFICERS AND "LAW ENFORCEMENT OFFICERS" ETC. IT FAILED TO BE UPGRADED TO STANDARD RECEIVING ONLY 4 VOTES (US, UK, ARGENTINA, USSR).

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INFO OCT-01 EUR-12 ISO-00 AF-06 ARA-06 EA-06 NEA-09 IO-10

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J. 9.4 PARA PUZZLED USREP AND COMMITTEE BECAUSE THERE IS NO PROPOSAL. K. ANNEX 14 MATERIAL ON FENCING AROUND AIRPORTS REMAINS AS RECOMMENDATIONS. 4.2 4.3, AND 4.4 RECEIVED THREE VOTES EACH (US, UK, USSR). THESE PARAGRAPHS HAVE ALWAYS BEEN REGARDED AS MATERIAL FOR THE MANUAL, NOT AN ANNEX. FYI. USREP HAS SOME SYMPATHY WITH THIS VIEW. AS OF NOW THERE IS NO CONSISTENCE -- ON SOME VERY SPECIFIC MEASURES THERE IS GREAT DETAIL IN THE ANNEX (DUPLICATING MANUAL MATERIAL) BUT ON ALL OTHER DETAILED MEASURES, NO MENTION IS MADE.) L. OUR PARA ON "NEW" MATERIAL WAS CONFUSING. 9.5 SHOULD HAVE BEEN PROPOSED FOR ANNEX 17 (AS FIRST PARA SUGGESTS) INSTEAD OF THE FAL ANNEX 9. 9.5 FAILED AS A STANDARD RECEIVING ONLY THREE VOTES (US, UK, ARGENTINA). IT PASSED AS A NEW RECOMMENDED PRACTICE WITH SIX VOTES (US, UK, USSR, FRANCE, ARGENTINA, LEBANON) WITH JAPAN AND MEXICO ABSTAINING. CONCERN WAS EXPRESSED REGARDING THE "NOTE" AND THAT MAY HAVE CONTRIBUTED TO DEFEAT OF THE STANDARD. ICAO TRIES TO AVOID "NOTES" AS PART OF STANDARDS (WHICH REQUIRE ACCOUNTABILITY). M. THE SECOND PARAGRAPH IN "NEW" MATERIAL MAKES NO PROPOSAL BUT STATES THAT "A RECOMMENDED PRACTICE FOR THE ESTABLISHMENT OF SECURITY EMERGENCY CONTINGENCY PLANS IS ENVISIONED AS SUITABLE". THE RECOMMENDED PRACTICE QUOTED IS ALREADY IN EFFECT. FYI. SECRETARIAT ANNOUNCED THAT THE ANC IS ABOUT TO UNDERTAKE A REVIEW OF OVER-ALL "EMERGENCY CONTROL" AT AIRPORTS (AT REQUEST OF A STATE) INCLUDING REMOVAL OF CRASHED AIRCRAFT. END FYI. N. THE PROPOSAL FOR A NEW 1.32.3 IN ANNEX 14 REGARDING ACCESS OF PRIVATE

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AIRCRAFT TO COMMERCIAL AREAS BROUGHT A GREAT DEAL OF INTEREST AND DISCUSSION. THE COMMITTEE REFERRED IT TO THE AIR NAVIGATION COMMISSION FOR REPORTING BACK TO THE COMMITTEE. MEMBERS FELT THE IDEA SHOULD RECEIVE THOROUGH CONSIDERATION AND BE FULLY DEVELOPED. US PAPER PLACES THE PARAGRAPH UNDER "APRONS". IT IS A MUCH BROADER PROBLEM AND COMMITTEE WANTS FULLEST CONSIDERATION. O. THE LAST PARA OF THE U.S. PAPER WAS POSTPONED FOR CONSIDERATION WITH ISRAEL PROPOSAL ON AN ICAO TRAINING PROGRAM. THE SUBJECT RESULTED IN UTTER CHAOS AND TOOK FOUR HOURS DELIBERATION. ARGENTINA LED A DRIVE FOR UNDP FUNDING FOR REGIONAL SECURITY TRAINING. THE POSSIBILITY OF AN ICAO PROGRAMME WAS CASUALLY MENTIONED AS ALTERNATIVE. THERE WAS A DEEP-SEATED FEELING THAT THE US PARAGRAPH WAS INTENDED TO DISPLACE ANY EFFORT FOR UNDP OR ICAO TRAINING. THEN THERE WAS CONFUSION AS TO WHAT WE WANTED: A STATE LETTER? A COUNCIL RESOLUTION? THE DEVELOPED STATES OBJECTED TO THE WORD "COMPARABLE" AS BEING CONFUSING AND/OR COSTLY, AND POSSIBLY SADDLING THEIR GOVERNMENTS WITH UNEXPECTED

FINANCIAL OBLIGATIONS. THE INTERMEDIATES FAVORED UNDP. SENEGLA
WAS VERY HELPFUL TO U.S. -- SUPPORTING UNDP INFORMATION
BUT ALSO SUPPORTING ADDITIONAL U.S. MEASURE. NO ONE IS SURE WHERE
WE CAME OUT, BUT WE WILL RECONSIDER THE MATTER IN THE COMMITTEE'S
DRAFT REPORT MAY 15. MEANWHILE IT WOULD BE HELPFUL IF USREP COULD
KNOW JUST WHAT DEPT'S POSITION IS ON THIS ITEM.

8. REMAINING ISRAEL PROPOSALS REFERRED TO COMMITTEE BY COUNCIL
RECEIVED NO SUPPORT. ISRAEL IS NOT MEMBER COMMITTEE AND NO MEMBERS
WERE INSTRUCTED TO MAKE FORMAL PROPOSALS (INCLUDING US).

9. SUBSTANCE OF DISCUSSION AND POSSIBLE DECISIONS WILL BE INCLUDED
IN COMMITTEE'S DRAFT REPORT TO COUNCIL FOR REVIEW BY COMMITTEE
MAY 15.

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